GOVERNMENT OF INDIA
HUMAN RESOURCE DEVELOPMENT
LOK SABHA

STARRED QUESTION NO:111
ANSWERED ON:02.05.2016
Commercialisation of Education
Mahato Shri Bidyut Baran;Singh Shri Rakesh

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the Government proposes to take measures to check the arbitrary working of private schools and commercialization of education in the country and if so, the details thereof;

(b) whether the Government has taken cognizance of the difficulties faced by the common man due to exorbitant increase in fees charged by private schools across the country;

(c) if so, whether the Government proposes to formulate any policy or regulatory body to oversee all aspects of the functioning of private schools in the country including the determination of the fee structure and annual fee hike of private schools and if so, the details thereof;

(d) the steps taken by the Government to ensure admission of the children belonging to the Economically Weaker Section of the society in private schools as per the prescribed quota; and

(e) the steps taken by the Government to improve the level of education in private schools in coordination with the State Governments?

Answer

MINISTER OF HUMAN RESOURCE DEVELOPMENT
(SMT. SMRITI ZUBIN IRANI)

(a) to (e): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO THE PARTS (a) TO (e) OF LOK SABHA STARRED QUESTION NO. 111 FOR 02.05.2016 ASKED BY SHRI RAKESH SINGH, SHRI BIDYUT BARAN MAHATO, HON'BLE MPs REGARDING "COMMERCIALISATION OF EDUCATION"

(a) to (e):Central Board of Secondary Education (CBSE) affiliates schools for the purpose of examination and certification at the end of Class X and Class XII. Affiliation Bye-Laws of CBSE prescribes that Society Managing the school shall ensure that the school is run as a community service, not as business, no commercialization takes place in the school in any shape whatsoever. Society Managing the school shall also ensure that the funds accruing from the school are spent for the benefit of the school and for its expansion. Government /Government-aided/Kendriya Vidyalayas/Jawahar Navodaya Vidyalayas/ Central Tibetan Schools are to follow the rules of the respective Government or Government organizations in all matters. Whereas, unaided privately managed independent schools are expected to adhere to the provisions prescribed in the Affiliation Bye-Laws of the Board. Affiliation Bye-Laws of the Board inter-alia prescribe the following:

â€¢ Fees charges should be commensurate with the facilities provided by the institution. Fees should normally be charged under the heads prescribed by the Department of Education of the State/UT for schools of different categories.
â€¢ No capitation fee or voluntary donations for gaining admission in the schools or for any other purpose should be charged/collected in the name of the school and the school should not subject the child or his or her parents or guardians to any screening procedure.
â€¢ In case of such malpractices, the Board may take action leading to disaffiliation of the school. Further, any school or person violates the above provisions is liable for the following:
â€¢ Receives capitation fee, shall be punishable with fine which may extend to ten times the capitation fee charged;
â€¢ Subjects a child to screening procedure, shall be punishable with fine which may extend to twenty five thousands rupees for the first contravention and fifty thousand rupees for each subsequent contraventions.
â€¢ In case a student leaves the school for such compulsion as transfer of parents or for health reason or in case of death of the student before completion of the session, prorata return of quarterly/term/annual fees should be made.
â€¢ The unaided schools should consult parents through parents representatives before revising fees. The fee should not be revised during the mid-session.
â€¢ CBSE issues Guidelines and Circulars to its affiliated schools from time to time for strict adherence of provisions of its affiliation Bye-Laws.

Affiliation Bye-Laws of the CBSE also have the following provisions:

â€¢ For the purpose of admission and extent of schools responsibility for free and compulsory education the school shall be governed by the provisions of the Rights of Children to Free and Compulsory Education Act, 2009 and the amendments, made there to from time to time.

â€¢ The school shall maintain all relevant records of the students applied and admitted annually as stipulated in Section 3 (1) and (2) of the RTE Act, 2009 and shall also follow the guidelines/instruction issued by the State in which the school is situated.

â€¢ CBSE issued circulars in April, 2012 and November 2012 to ensure admission under RTE Act 2009. These circulars are available on CBSE website www.cbse.nic.in.

Education being a concurrent subject, majority of private schools come under the purview of State Governments/UT Administration. Fees and admission including admission under Economic Weaker Section (EWS) quota are regulated in schools including private schools by the State Governments/UT Administration.